



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re ~~PATENT~~ Application of

SUGAWARA

Atty. Ref.: 925-348

Serial No. 10/588,523

Group: 2826

Filed: August 7, 2006

Examiner: Tran, T.N.

For: HIGH-WITHSTAND VOLTAGE WIDE-GAP
SEMICONDUCTOR DEVICE AND POWER DEVICE

* * * * *

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated August 19, 2008, Applicant elects Species 1 (the species of Fig. 1, claims 1, 2, 3, 7, 8 and 9) for further prosecution in the event no generic claim is finally held to be allowable.

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted group of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected group of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained.

The Commissioner is authorized to charge the undersigned's deposit account no. 14-1140 in whatever amount is necessary for entry of this Amendment and the continued pendency of the captioned application, including but not limited to any extension of time fees.

SUGAWARA
Serial No. 10/588,523

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,
NIXON & VANDERHYE P.C.

September 18, 2008

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